

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

December 07, 2004

B174682 Alvarado et al. (Not for Publication)
 v.
 Cafe-Club Fais Do Do, et al.

The judgment is reversed insofar as it includes the February 5, 2004, denial of the section 128.7 motions brought by Yablok and the Club. The matter is remanded to the trial court for a hearing on the merits of those motions. The motion by the Club and Yablok for sanctions is denied. The Club and Yablok are awarded their costs on appeal.

Suzukawa, J. (Assigned)

We concur: Spencer, P.J.
 Mallano, J.

B172732 Domby (Not for Publication)
 v.
 Hoyt

We affirm the order enforcing the settlement and the resulting judgment dismissing the case with prejudice. The parties shall bear their own costs on appeal

Suzukawa, J. (Assigned)

We concur: Spencer, P.J.
 Vogel (Miriam A.), J.

December 07, 2004 (Continued)

DIVISION ONE (Continued)

B173062 Weinberg (Not for Publication)

V.

Santa Monica Rent Control Board

The judgment is affirmed. Respondent(s) to recover costs.

Mallano, J.

We concur: Spencer, P.J.

Suzukawa, J. (Assigned)

B174539 People (Not for Publication)

V.

Sanchez

The judgment is affirmed.

Mallano, J.

We concur: Spencer, P.J.

Vogel (Miriam A.), J.

DIVISION TWO

B173842 People (Not for Publication)

V.

Valverde

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.

Ashmann-Gerst, J.

December 07, 2004 (Continued)

DIVISION TWO (Continued)

B171027 People (Not for Publication)
v.
Coffey

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
Doi Todd, J.

B169314 People (Not for Publication)
v.
Toland

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
Ashmann-Gerst, J.

B172403 Gutkin (Not for Publication)
v.
University of Southern California

The judgment appealed from is affirmed. Appellant shall bear respondent's costs of appeal. Respondent is awarded sanctions in the amount of \$16,633.65 jointly and severally against appellant and E. Lyn Lemaire.

Nott, J.

We concur: Boren, P.J.
Ashmann-Gerst, J.

December 07, 2004 (Continued)

DIVISION TWO (Continued)

B170315 Wolver (Not for Publication)
v.
Rosenaur

The judgment is affirmed. Appellant shall bear respondents costs on appeal.

Nott, J.

We concur: Boren, P.J.
Doi Todd, J.

B163363 Allison (Not for Publication)
v.
Danilovic

The judgment is affirmed. Respondent(s) to recover costs.

Nott, J.

We concur: Boren, P.J.
Ashmann-Gerst, J.

DIVISION THREE

B175720 People v. Avelar (Not for Publication)

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

December 07, 2004 (Continued)

DIVISION THREE (Continued)

B173859 People (Not for Publication)
v.
Suarez

The appeal is dismissed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B175904 People (Not for Publication)
v.
Castillo

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B169004 Robert E. Sanders (Not for Publication)
v.
Audrea D. Barnes

The judgment is affirmed. Each party to bear their own costs.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

DIVISION THREE (Continued)

B167714 Christ Lutheran Church (Not for Publication)
 v.
 Charles W. Stude, Jr.

The judgment is affirmed. Respondent(s) to recover costs.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

DIVISION FOUR

B168822 People (Not for Publication)
 v.
 Cole

The judgment is modified by reducing the victim restitution fine and parole revocation fine to \$500 each, with the parole revocation fine stayed unless parole is revoked. In all other respects the judgment is affirmed.

Epstein, P.J.

We concur: Hastings, J.
 Curry, J.

DIVISION FIVE

Court convened at 9:00 a.m.

Present: Turner, P.J., Grignon, J., Armstrong, J. and J. Belcher, Deputy Clerk.

Each of the following:

B169759 Peo v. Angiano et al
B176405 DCFS v. Maria and Nicholas R.

Argument waived, cause submitted.

DIVISION FIVE (Continued)

B175268 People
 v.
 Jovan Taylor

Merits:
Argued by Matthew D. Alger for appellant and by Steven D. Mathews,
deputy attorney general, for respondent. Cause submitted.

B173226 People
 v.
 Jeffrey K.

Merits:
Argued by Robert C. Schneider, deputy attorney general, for respondent.
Appellant waived argument. Cause submitted.

B172890 Diana Bonta
 v.
 Brenda Arnold

Merits:
Argued by Jennifer M. Kim, deputy attorney general, for respondent.
Appellant waived argument. Cause submitted.

Court recessed at 9:30 a.m.

Court reconvened at 9:45 a.m.

Present: Turner, P.J., Grignon, J., Armstrong, J. and J. Belcher, Deputy Clerk.

Each of the following:

B172777 Peo v. Barnett
B174344 Peo v. Statum

Argument waived, cause submitted.

DIVISION FIVE (Continued)

B166797 Rockwell Medical Supply, Inc.
 v.
 Gary Ciriame

Merits:

Argued by Robert Marc Hindin for appellant. Respondent waived argument. Cause submitted.

B173190 Los Angeles County, D.C.S.
 v.
 Cynthia G.

Merits:

Argued by Cynthia G. appellant in propria persona and by Judith A. Luby, deputy county counsel for respondent. Cause submitted.

Court recessed at 10:10 a.m.

Court reconvened at 10:50 a.m.

Present: Turner, P.J., Armstrong, J., Mosk, J. and J. Belcher, Deputy Clerk.

Each of the following:

B175740 Peo v. Standifer
B173741 Peo v. Lennie J.
B167460 Peo v. Bravo
B177949 DCFS v. SCLA (Gonzalo S.)

Argument waived, cause submitted.

B178884 Michaelis, Montanari & Johnson
 v.
 Superior Court, Los Angeles County
 (City of Los Angeles, r.p.i.)

Merits:

Argued by Garry L. Montanari petitioner in propria persona and by Lynn Mayo, deputy city attorney, for real parties in interest. Cause submitted.

DIVISION FIVE (Continued)

B174547 Los Angeles County, D.C.S.

v.

DCFS

Tova B.

Merits:

Argued by Merrill Toole for appellant and by Pamela Landeros, deputy county counsel, for respondent. Cause submitted.

Court recessed at 11:35 a.m.

Court reconvened at 1:00 p.m.

Present: Turner, P.J., Armstrong, J., Mosk, J. and J. Belcher, Deputy Clerk.

B168667 Charles Bouley II

v.

Long Beach Memorial Medical Center

Merits:

Argued by John Mulvana for appellant and by Neale Gold, David P. Pruett and Lynn E. Moyer for respondents. Cause submitted.

B167731 Marcus Prajogi et al.

v.

Mark Udem

Merits:

Argued by Edward J. Horowitz for appellants and by Don A. Proudfoot for respondents. Cause submitted.

Court adjourned at 2:20 p.m.

December 07, 2004 (Continued)

DIVISION SIX

[illegible]

The judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.

B172963 People v. Prieto (Certified for Publication)

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

DIVISION SEVEN

B171235 People (Not for Publication)
v.
Rosales

The judgment is affirmed.

Woods, J.

We concur: Johnson, Acting P.J.
Zelon, J.

DIVISION SEVEN (Continued)

B175627 Los Angeles County, D.C.S. (Not for Publication)
v.
Teresa M.

The order of the juvenile court terminating Teresa M.'s parental rights to Lyla H. and Paul H. is conditionally reversed and the cause is remanded to the dependency court. On remand, the juvenile dependency court is directed to order the respondent DCFS to comply with ICWA notice provisions. If, after proper inquiry and notice, no response from the BIA or a tribe is received indicating the minors are Indian children, or the responses received indicate they are not Indian children, within the meaning of ICWA, then the juvenile court shall reinstate the order terminating parental rights. (E.g., *In re Marinna J.*, *supra*, 90 Cal.App.4th at p. 740) If, on the other hand, the BIA or a tribe determines the minors are Indian children under ICWA, the juvenile court shall proceed accordingly in conformity with the provisions of the ICWA and California Rules of Court. In all other respects, the orders are affirmed.

Woods, J.

We concur: Perluss, P.J.
 Johnson, J.

B171041 Superstein (Not for Publication)
v.
Santa Anita Park, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Woods, J.

We concur: Perluss, P.J.
 Johnson, J.

DIVISION EIGHT

B172205 Los Angeles County, D.C.S.
 v.
 Michele F.

Filed order granting motion to dismiss appeal. Appeal (notice of appeal
filed December 23, 2003) dismissed.